

REMARKS

Claims 1-4 and 6-17 were pending in the application. Claims 9-17 have been cancelled. Claims 1, 3, 6, and 7 have been amended. Claims 20-22 have been added. Claims 1-4, 6-8, and 20-22 accordingly remain pending in the application.

35 U.S.C. § 112 Rejections

Claims 6 and 17 stand rejected under 35 U.S.C. §112 where a means recitation does not appear in combination with another recited element of means. Claims 9-17 stand rejected under 35 U.S.C. §112 as being indefinite for failing to point out and distinctly claim the subject matter which applicant regards as the invention. In view of the present claim amendments, the rejections are believed moot.

35 U.S.C. § 101 Rejections

Claims 6 and 17 stand rejected under 35 U.S.C. 101 as being directed to non-statutory matter. Claim 6 has been amended to recite a non-transitory storage medium. Claim 17 has been cancelled. Accordingly, the rejections are believed overcome or rendered moot.

35 U.S.C. § 102 Rejections

Claims 1-4 and 6-17 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,978,791 (hereinafter “Farber”). While Applicant respectfully traverses this rejection, Applicant has nevertheless amended the claims to further clarify the nature of the presently claimed invention. Accordingly, reconsideration is requested.

As amended, claim 1 has been clarified and includes a number of features which are distinguishable from the cited art. For example, the locations of certain activities and causal relationships have been clarified. For example, claim 1 recites a local computing device receives a corrupted version of a file. In response to receiving the file, the local computing device calculates a reference and transmits the reference to a central infrastructure. Responsive to receiving the reference, the central infrastructure compares the references with previously stored references from the remaining part of the network. If a match is not found, it is decided that the file has not yet been identified and remote access to the file by the central infrastructure is enabled. The central infrastructure then identifies content of the file without it being conveyed to the central infrastructure, and attributes of the file are determined and stored. Subsequently, an action is triggered on the local device which includes identifying an uncorrupted version of the file and replacing the corrupted file on the local computing device with the uncorrupted version.

Generally speaking, Faber is directed to a method for providing a unique name for data objects based on their content (as noted by Faber, “because there is no correlation between a data name and the data it refers to, there is no a priori way to confirm that a given data item is in fact the one named by a data name”), and reducing multiple copies of data items. In the present Office Action, a variety of disclosures of Faber are cited. For example, Faber discloses the ability to calculate a True Name for a data item (col. 14, lines 1-31). In addition, Faber discloses a method whereby a device may obtain a local copy of a file given its True Name and the name of a source location that may contain the True File. To that end, Faber describes if a device has a True Name of a file, it may (in essence) search for a copy of the file and if found request a local copy (e.g., see Faber, col. 16). However, it is noted that disclosure of Faber (“6. Realize True File from Location”) is not causally related to the first disclosure (“Calculate True Name”). Rather, Realize True File from Location is simply a mechanism whereby a device which does not have a copy of a file may obtain one. For at least these reasons, claim 1 is patentably distinguishable from Faber.

In addition to the above, claim 1 recites further features not found in Faber. For

example, claim 1 further recites responsive to the comparing, if the central infrastructure does not find a match between the calculated reference and another, then (1) it is decided the content has not yet been identified, (2) access to the file on the local computing device is enabled for remote access by the central infrastructure (without conveying the file to the central infrastructure), and (3) the content of the file is identified to determine attributes of the file and storing those attributes at the central infrastructure.

In the present Office Action, the disclosure of Faber “2. Assimilate Data Item” (col. 14, lines 40+) is cited. However, this disclosure of Faber is in no way causally connected to “6. Realize True File from Location” which immediately precedes this citation in the Office Action. In addition, this disclosure of Faber simply describes an assimilation process whereby a check is performed to see if a data item is already registered. To that end, Faber discloses the True File registry is searched for a computed True Name. If so, the data item may be discarded. If not, then an entry may be created for the data item. As can be seen, these disclosures do not resemble the present claim features. For example, in claim 1, if a match is not found, then (2) access to the file on the local computing device is enabled for remote access by the central infrastructure (without conveying the file to the central infrastructure), and (3) the content of the file is identified to determine attributes of the file and storing those attributes at the central infrastructure. These features are neither found in nor suggested by Faber.

Still further, claim 1 recites a method whereby a local device obtains a corrupted file and initiates a process which results the replacement of that file with an identified uncorrupted version. In the present Office Action, col. 25, lines 26-45 of Faber are cited as disclosing features regarding replacement of a file. However, this disclosure of Faber describes a process whereby a remote processor may insist that a local/different processor make a copy of a given file. In such a case, the process is driven by the remote processor and not the local/different processor. This is precisely the opposite of what is claimed in claim 1. For at least these further reasons, claim 1 is patentably distinguishable from the cited art. In addition, Faber does not disclose the features regarding the corrupted and uncorrupted file.

In view of the above, Applicant submits claim 1 is patentably distinguishable from the cited. As claims 6 and 7 include similar features, these claims are patentably distinguishable for at least similar reasons. In addition to the above, the features of claims 20-22 are not found in the cited art.

In light of the foregoing amendments and remarks, Applicants submit that all pending claims are now in condition for allowance, and an early notice to that effect is earnestly solicited.

Telephone Interview

If any issues remain, Applicant requests the examiner telephone the below signed representative so that an interview may be conducted.

CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above referenced application from becoming abandoned, Applicant hereby petitions for such an extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/6142-00504/RDR.

Respectfully submitted,

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